

Message Text

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ACTION EUR-08

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TO SECSTATE WASHDC PRIORITY 5183
SECDEF WASHDC PRIORITY
INFO AMEMBASSY LONDON
AMEMBASSY ROME
USMISSION USNATO
USNMR SHAPE
CINC USAREUR HEIDELBERG
CINC USAFE RAMSTEIN
CINC EUR VAIHINGEN

C O N F I D E N T I A L SECTION 01 OF 02 BONN 01435

LIMDIS

E.O. 11652: GDS
TAGS: MILI, MPOL, GW, US
SUBJECT: GEORG LEBER AND THE LUTZE SPY AFFAIR - - UPDATE

REF: BONN 00548

BEGIN SUMMARY: THE LUTZE AFFAIR CONTINUES TO SIMMER, IF
NO LONGER WITH THE INTENSITY OF THE PAST WEEKS. CHANCEL-
LOR SCHMIDT STRONGLY DEFENDED LEBER WHILE DELIVERING THE
GOVERNMENT'S POLICY STATEMENT TO THE BUNDESTAG AND LEBER
HIMSELF MADE A GOOD SHOWING, CIRCUMSTANCES CONSIDERED,
DURING HIS APPEARANCE BEFORE THE PARLIAMENTARY INVESTI-
GATING COMMITTEE. THE OPPOSITION HAS CONTINUED ITS
ATTACK ON LEBER AND HE IS UNDERSTANDABLY SOMEWHAT
DISTRACTED FROM HIS DUTIES AT THE DEFENSE MINISTRY. THE
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LUTZE AFFAIR MAY BE LOSING SOME OF ITS EDGE, BUT IT IS
STILL DRAGGING ON. END SUMMARY

1. THE LUTZE AFFAIR CONTINUES TO BE OF MAJOR PRESS
INTEREST IN THE FRG BUT NO LONGER WITH THE INTENSITY OF
PREVIOUS WEEKS.

2. A BRIEF FLURRY OF PRESS INTEREST FOCUSED ON CHANCELLOR SCHMIDT'S SPONTANEOUS COMMENTS IN THE BUNDESTAG JANUARY 19 TO THE EFFECT THAT HE HAD KNOWN ABOUT THE LUTZE CASE "FROM THE BEGINNING." RESPONDING TO CRITICISM FROM THE OPPOSITION (KOHL), SCHMIDT SAID HE WANTED TO SET THE RECORD STRAIGHT AND STATED HE HAD BEEN INFORMED OF THE CASE FROM THE BEGINNING, AND HAD, CONTRARY TO KOHL'S INFERENCE, BEEN CONCERNED THAT APPROPRIATE MEASURES BE TAKEN, INCLUDING THOSE CONCERNING NATO. THE PRESS INTEREST FOCUSED ON THE APPARENT CONTRADICTION BETWEEN SCHMIDT'S REMARKS AND AN EARLIER STATEMENT BY HIS SPOKESMAN (BOELLING) TO THE EFFECT THAT THE CHANCELLOR HAD LEARNED OF THE AFFAIR THROUGH THE NEWSPAPERS. (COMMENT: IT MAY BE THAT BOELLING WAS REFERRING TO PRESS REPORTS BASED ON A LEAKED INVESTIGATIVE DOCUMENT SCHMIDT WAS NOT AWARE OF. IN ANY CASE, THIS EPISODE SEEMS A SIDELIGHT TO OTHER ASPECTS OF THE CASE.)

3. DURING THE MORE FORMAL PORTIONS OF THE SAME BUNDESTAG SESSION, MOST SPEAKERS REFERRED TO THE LUTZE CASE AND TO DEFENSE MINISTER LEBER'S POSITION IN THEIR GENERAL REMARKS ON THE STATE OF THE NATION.

4. CHANCELLOR SCHMIDT IN HIS FORMAL REGIERUNGSERKLAERUNG PRAISED LEBER AS AN EXCELLENT DEFENSE MINISTER AND NOTED THE HIGH RESPECT HE ENJOYS AMONG NATO COLLEAGUES. IN
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EFFECT, HE CALLED FOR A MORE COMPASSIONATE TREATMENT OF LEBER AND A MORE DISPASSIONATE POLITICAL ATTITUDE TOWARD ESPIONAGE CASES, WHICH HE NOTED AFFLICT DIFFERENT PARTIES AND GOVERNMENTS.

5. SPD BUNDESTAG FRAKTION LEADER HERBERT WEHNER ALSO SPOKE HIGHLY OF LEBER. SO DID FOREIGN MINISTER AND FDP CHAIRMAN GENSCHER, WHO STRESSED THAT LEBER IS A MAN WITH WHOM THE FDP LOOKS FORWARD TO WORKING IN THE FUTURE.

6. CDU CHAIRMAN KOHL STRESSED THAT, IN HIS VIEW, IT WAS INCOMPREHENSIBLE THAT THE GOVERNMENT COULD HAVE BEEN UNCONCERNED OR UNINFORMED ABOUT THE CASE AT TOP LEVELS, AND THAT THE CHANCELLOR LEARNED OF IT THROUGH THE NEWSPAPERS. (IT WAS IN RESPONSE TO THIS POINT THAT SCHMIDT MADE HIS SUBSEQUENT EXTEMPORE REMARKS.) CSU BUNDESTAG LEADER ZIMMERMANN CALLED ON CHANCELLOR

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 01435

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SCHMIDT TO RELIEVE LEBER OF HIS DUTIES AS DEFENSE
MINISTER.

7. LEBER APPEARED RELAXED AND WELL RESTED FOR HIS
JANUARY 20 APPEARANCE BEFORE THE PARLIAMENTARY DEFENSE
COMMITTEE INVESTIGATING THE LUTZE ESPIONAGE AFFAIR.
LEBER EMPHATICALLY DENIED THAT HE HAD ANY DETAILED
KNOWLEDGE OF THE EXPERTS OPEN REPORT PREPARED BY THE
INVESTIGATING OFFICER ON THE LUTZE AFFAIR PRIOR TO THE
DECEMBER 12 NEWS LEAK, WHICH LOCAL SPECULATION HAS
EMANATING FROM THE JUSTICE MINISTRY.

8. THE DEFENSE MINISTER POINTED OUT THAT IMMEDIATELY
AFTER HIS BEING INFORMED OF THE ESPIONAGE AFFAIR BY STATE
SECRETARY FINGERHUT ON JUNE 3, 1976, THE CHANCELLERY
AND THE NATO ALLIES HAD BEEN INFORMED. THE MATTER WAS
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THEN TURNED OVER TO THE FEDERAL PROSECUTOR'S OFFICE FOR
INVESTIGATION. HE STRESSED THAT THE FMOD HAD

FULLY COOPERATED IN THE INVESTIGATION FROM ITS VERY BEGINNING BUT THAT THE OFFICE OF THE FEDERAL PROSECUTOR GENERAL HAD THE PRIMARY RESPONSIBILITY FOR CARRYING OUT THE INVESTIGATION AND THAT IT WAS A LEGAL INVESTIGATING OFFICER WORKING UNDER THE DIRECTION OF THE PROSECUTOR GENERAL WHO PREPARED THE REPORT IN QUESTION. HAD HE SEEN IT IN ITS PREPARATORY STAGE, THIS COULD HAVE LEFT HIM OPEN TO A CONFLICT OF INTEREST CHARGE SINCE IT WAS HIS MINISTRY BEING INVESTIGATED.

9. LEBER EMPHASIZED THAT, AS HAD HIS PREDECESSORS, HE HAD FOR 20 YEARS RESPECTED THE INDEPENDENCE OF INVESTIGATIVE EXPERTS. ADDITIONALLY, HE SAID, THE FULL EXTENT OF THE DAMAGE COULD ONLY BE DETERMINED AFTER THE INVESTIGATION HAD BEEN COMPLETED AND THAT THIS PROCESS IS STILL GOING ON. HE ALSO OUTLINED THE NEW SECURITY MEASURES WHICH HE HAD IMPLEMENTED AS EARLY AS JUNE OF 1976 WHEN HE DIRECTED THAT NEW RIGID BACKGROUND INVESTIGATIONS BE CONDUCTED ON SECRETARIES WORKING AT SENIOR LEVELS OF THE MINISTRY AND ALSO FOR HIGHER RANKING OFFICIALS AND MILITARY OFFICERS WORKING THERE.

10. IN CLOSING, LEBER READ OUT EXCERPTS FROM A LETTER HE HAD RECEIVED RECENTLY FROM SECRETARY OF DEFENSE BROWN. THOSE EXCERPTS, AS QUOTED BY LEBER, NOTED THAT LEBER WAS PRESENTLY FACED WITH THE NEED TO GO THROUGH WITH A DIFFICULT BATTLE, EXPRESSED SYMPATHY, AND LOOKED FORWARD TO FURTHER WORK TOGETHER IN 1978.

11. IN A SUBSEQUENT DEVELOPMENT, THE PRESS HAS REPORTED THAT ONE OF MINISTER LEBER'S SECRETARIES WAS THE SUBJECT
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OF ELECTRONIC EAVESDROPPING BY MILITARY SECURITY AUTHORITIES IN THE 1974-75 PERIOD IN CONNECTION WITH SUSPICION OF ESPIONAGE, OF WHICH SHE WAS SUBSEQUENTLY CLEARED. LEBER CONFIRMED THIS INFORMATION ON JANUARY 24 BEFORE A MEETING OF SPD PARLIAMENTARIANS, NOTING THAT HE HAD ONLY LEARNED OF IT IN MARCH 1977, IN CONNECTION WITH THE TRAUBE CASE. IT IS NOT CLEAR WHAT, IF ANY, IMPLICATIONS THIS ADDITIONAL DEVELOPMENT WILL HAVE ON THE OVERALL PROBLEMS FACING LEBER IN CONNECTION WITH THE LUTZE CASE.

12. COMMENT: LEBER IS PUTTING UP A STRONG AND DETERMINED RESISTANCE TO CALLS THAT HE GO, ALTHOUGH SPECULATION CONTINUES THAT HE MAY LEAVE OFFICE, WITH SOME JOURNALISTS SUGGESTING THAT HE WILL LEAVE IN THE SUMMER. WE HAVE LEARNED FROM A SOURCE CLOSE TO HIM THAT THE AFFAIR HAS SOMEWHAT DISTRACTED HIM FROM OTHER FMOD BUSINESS. THUS THE FINAL DECISION ON A MAJOR REORGANIZATION

OF THE ARMY AS WELL AS OTHER PRESSING BUSINESS HAS NOT
BEEN RESOLVED.
STOESSEL

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